



City of Bellevue
Development Services Department
Development Services Staff Report

Proposal Name: Griffith Residence Patio

Proposal Address: 15340 SE 53rd Street

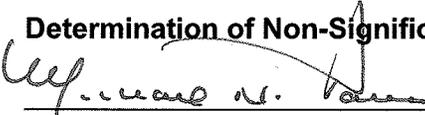
Proposal Description: This is an application for Critical Areas Land Use Permit to reduce the top of slope Geologic Hazard Area buffer associated with a steep slope critical area. The applicant is proposing a reduction of slope buffer to allow for the development of a new 630 square foot patio within a portion of the buffer area. To improve the condition of the remaining buffer area and a portion of the down hill steep slope critical area, the applicant is proposing to restore portions of the site through the planting of native vegetation.

File Number: 08-125437-LO

Applicant: Dan Yarger, Landscape Contractor

Decisions Included: Critical Areas Land Use Permit,
(Process II - LUC 20.30P)

Planner: Mark Cross, Associate Land Use Planner

**State Environmental Policy Act
Threshold Determination:** **Determination of Non-Significance**

Michael Paine, Environmental Coordinator
Development Services Department

Director's Decision: **Approval with Conditions**

Mike Brennan, Director
Development Services Department

Application Date:	07/01/2008
Date Application Deemed Complete:	07/29/2008
Notice of Application Publication Date:	08/07/2008
Decision Publication Date:	09/18/2008
Project Appeal Deadline:	10/02/2008

For information on how to appeal a proposal, visit Development Services at City Hall or call (425) 452-6800. Appeal of the Decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

I. Background

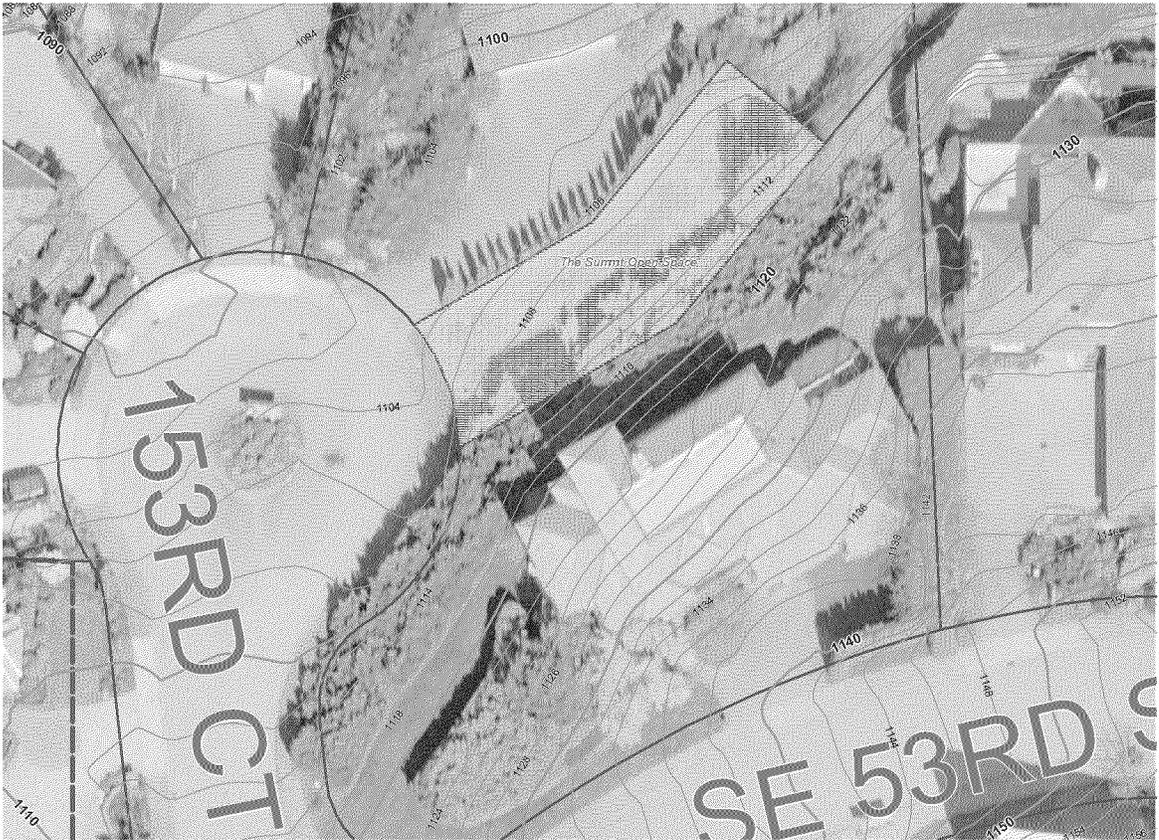
A. Site Description

The Griffith property is located at 15430 SE 53rd Street in the NW quadrant of Section 23, Township 24 North, Range 5 East. The site is within the Newcastle Subarea of the Comprehensive Plan, is designated as Single Family Low Density, and is zoned Single-Family Residential (R-3.5). The property is currently built out with one single family residence and a garage. The existing house is built into the sloped lot with the garage and front door facing onto SE 53rd Street. The proposed patio is in the north east corner of the property above an open space tract and adjacent to a house to the east. The entire site is sloped from south to north. The topography ranges from elevation 1140 feet at the southeast corner of the property to elevation 1110 feet along the northern property line.

The regulated slope along this portion of the property extends onto the open space tract to the north and is characterized by vegetation that consists of mature Juniper shrubs and Kinnikinnick groundcover. The house and property are located within a completely built subdivision. Areas of native vegetation are interspersed across the neighborhood but do not form into continuous vegetated areas. The subject site does not include mature trees. The most mature vegetation on site are the juniper shrubs that extend downhill on the steep slope critical area onto the open space tract. A site plan depicting the existing site conditions, as well as a Geotechnical Engineering Study is available in the project file.

B. Project Description

This is a proposal to reduce the required top of slope buffer from 20 feet to three feet for a distance of 38 feet along the top-of-bank to allow for the construction of a 630 square foot patio. The patio is proposed to be constructed of stone pavers over a sand and gravel base to allow the area to remain pervious. Retaining walls will be required within the buffer area to provide a flat surface for the proposed patio. No grading within the protected slope area is proposed or allowed as part of this application, however, the applicant is proposing to replant/restore the top-of-bank slope buffer and portions of the steep slope critical area near the top of bank with native vegetation.



II. State Environmental Policy Act (SEPA)

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The Environmental Checklist submitted with the application adequately discloses expected environmental impacts associated with the project. The City codes and requirements, including the Clear and Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes are expected to mitigate potential environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements.

A. Earth and Water:

The grades on site range from nearly level to in excess of a 40% grade. There is 30 feet of elevation change from SE 53rd Street to the south down to the open space tract to the north.

The applicant is proposing to build a 630 square foot patio of stone pavers over a pervious gravel base within the top-of-bank steep slope critical area buffer. The steep slope critical area buffer for this developed site would be reduced from the existing 20 feet to 3 feet along the front edge of the patio. To mitigate the impact on the steep slope buffer, the applicant proposes planting a mix of native trees, shrubs and ground covers.

The proposed replanting plan includes planting a portion of the steep slope

critical area just below the top of bank in front of the proposed patio. The current degraded condition of the buffer and steep slope area just below the proposed patio will be improved with the proposed plantings. See the photo of the site on page four of this staff report.

The implementation of standard erosion control measures implemented through the Clearing and Grading permit will prevent any significant environmental impact to the earth or water. The best management practices required in chapter 23.76 BCC are adequate to mitigate any expected impacts.

See Conditions of Approval in Section IX.

B. Animals:

The property contains forested habitat on steep slopes. The property slopes to the east towards Lake Sammamish and contains the tree canopy on the steep slope portion of the property includes large conifers and broad leaf maples. English Ivy has supplanted much of the native ground covers.

Adverse impacts on wildlife are not anticipated as the project will replace invasive non-native ground cover with native species, planting native trees and shrubs in the previously disturbed areas and retains all existing significant trees. The proposed vegetation restoration with native species is consistent with the objective of maintaining habitat for animals of local importance.

C. Plants:

Vegetation on the steep portions of the property includes large conifers and deciduous trees, a mix of native and non-native shrubs and ground covers. There are lawn areas and ornamental plantings adjacent to the house at the top of bank. No significant vegetation will be disturbed or altered as a part of the proposed project. Work includes covering non-native ivy ground cover in the area of disturbance and then planting ground covers through the material to help assist with establishing the native species. Other plantings are designed to mitigate the impact of previous un-authorized vegetation management work within the steep slope critical area.

See Conditions of Approval in Section IX.



Photo looking west of proposed patio area and steep slope to the north. August 6, 2008

III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements

This is a proposal to reduce the required top of slope buffer from 25 feet to 3 feet to allow for the construction of a stone patio. To construct the 630 square foot patio, the applicant is proposing a reduction of the top of slope buffer from 25 feet to three feet. No requests have been made to reduce the required structure setbacks, lot coverage, or other dimensional standards for the R-3.5 zone. The proposed patio and any structural walls above four feet in height will be subject to a complete site review for compliance with the Land Use Code during building permit/and or clearing and grading permit review. See Conditions of Approval in Section IX of this report.

B. Critical Areas

- 1) **Steep Slopes**- Steep Slopes are generally defined by section

20.25H.120.A.2 of the City of Bellevue Land Use Code as: Those areas with slopes of 40 percent or more that have a rise of at least 10 feet and exceed 1,000 square feet in area. Portions of the subject site are characterized by a regulated slope area. The project proposal consists of two components: 1) To reduce the required 25 foot top of slope buffer to 20 feet; and 2) To remove the existing driveway that currently crosses through the top of slope buffer and restore the slope and buffer area with native plantings.

To allow for the reduction of the steep slope hazard area buffer, the applicant has submitted a geotechnical assessment of the site and slope area prepared by PanGEO, Inc. that addresses slope stability and identifies construction practices and structure design that will help limit the potential for increased hazard associated with this slope. Review of the Geotechnical Report indicates the proposal to reduce the buffer to 3 feet is appropriate for this site due to lack of slope instability. A copy of the project geotechnical report is available in the project file.

2) Habitat - Habitat associated with species of local importance is protected by the City of Bellevue Land Use Code section 20.25H.125. When habitat associated with a listed species (listed in the City's Land Use Code) is present, specific performance standards must be followed as identified in LUC 20.25H.160.

The protected steep slope hazard area, is covered in non-native juniper bushes and is too small and isolated to provide habitat for species of local importance. The top-of-slope buffer area proposed for the new patio and plantings is currently planted in lawn that is not well maintained. The remainder of the yard is planted with ornamental species or is being re-worked into a series of walls and patio areas under a separate permit along the west end of the property. The existing lawn area and steep slope critical area that is covered in juniper lack do not provide suitable habitat for any of the animals of local importance. To enhance the site's ability and potential to provide habitat in the future, the applicant has provided a conceptual restoration / replanting plan to restore the condition of the remainder of the protected slope buffer area and a narrow band of the steep slope critical area just below the proposed location of the patio. All steep slope and buffer restoration and replanting will meet the requirements of LUC 20.25H.210 - .225. See related Conditions of Approval in Section IX of this report.

IV. Consistency With Land Use Code Critical Areas Performance Standards – Modification of Steep Slope Critical Areas and Buffers:

A. 20.25H.125 Performance standards - Landslide hazards and steep slopes.

Development within a landslide hazard or steep slope critical area or the critical area buffers of such hazards shall incorporate the following additional performance standards in design of the development, as applicable:

1) Structures and improvements shall minimize alterations to the natural contour of the slope, and foundations shall be tiered where possible to conform to existing topography;

Finding: The proposed modification of existing ground contours is limited to the buffer area of the steep slope critical area. Activities proposed for the area just below the patio within the steep slope critical area is being limited to planting and erosion control measures to minimize additional alterations to the contour of the slope. The applicant has submitted a geotechnical assessment of the site and slope area prepared by PanGEO, Inc. that addresses slope stability and identifies construction practices and structure design that will help limit the potential for increased hazard associated with this slope including “surface water be collected and properly discharged; no discharge onto the slope should be allowed.” The applicant is required to conform to the requirements of the geotechnical study – see Conditions of Approval in Section IX of this report.

2) Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation;

Finding: The proposed patio and any potential walls are sited within the buffer of the steep slope critical area and not within the critical area itself. Work within the steep slope critical area is limited to planting and erosion control. No grading or alteration of the steep slope portion of the site is proposed.

3) The proposed development shall not result in greater risk or a need for increased buffers on neighboring properties;

Finding: The proposed patio is designed to reduce runoff through the use of pavers laid upon a pervious gravel base. Runoff is to be drained towards the house, south, collected and then tight lined to the storm drainage system in the street. These design features limit risk to neighboring properties and eliminate the need for increased buffers on neighboring properties.

4) The use of retaining walls that allow the maintenance of existing natural slope area is preferred over graded artificial slopes where graded slopes would result in increased disturbance as compared to use of retaining wall;

Finding: Retaining walls may be employed within the steep slope critical area buffer only to maintain the existing slope of the steep slope critical area.. Work within the steep slope critical area is limited to planting and erosion control measures. No grading of steep slopes is proposed or approved with this permit.

5) Development shall be designed to minimize impervious surfaces within the critical area and critical area buffer;

Finding: The proposed development includes an increase in impervious surfaces within the critical area buffer. A portion of the adjacent steep slope critical area and three to five feet of steep slope buffer area is proposed to be restored with native vegetation. The patio is designed with rock pavers placed on a gravel bed that will limit storm runoff. Surface flow from the proposed patio will be directed towards the house and collected into the perimeter storm drainage system and directed to the street.

6) Where change in grade outside the building footprint is necessary, the site retention system should be stepped and re-grading should be designed to minimize topographic modification. On slopes in excess of 40 percent, grading for yard area may be disallowed where inconsistent with this criteria;

Finding: No grading is proposed within the steep slope critical area. The only significant change in grade outside the building footprint of the existing house is limited to the buffer area of the steep slope critical area. Any walls needed to provide the patio with a flat grade will be placed within the buffer area.

7) Building foundation walls shall be utilized as retaining walls rather than rockeries or retaining structures built separately and away from the building wherever feasible. Freestanding retaining devices are only permitted when they cannot be designed as structural elements of the building foundation;

Finding: The primary structure has been built without the use of retaining walls. Any proposed walls related to the proposed patio will only be tall enough to provide the patio with a near level surface and are not required as structural elements for the residence. Any walls related to the patio construction have not been identified on the plan set and have must be designed to be as minimal as possible and to allow the existing natural slope of the site to be maintained. The applicant is required to conform to the requirements of the geotechnical study – see Conditions of Approval in Section IX of this report.

8) On slopes in excess of 40 percent, use of pole-type construction which conforms to the existing topography is required where feasible. If pole-type construction is not technically feasible, the structure must be tiered to conform to the existing topography and to minimize topographic modification;

Finding: Not applicable - no portion of the proposed development is proposed on slopes in excess of 40 percent. Only planting and erosion control is proposed on a portion of the steep slope critical area.

9) On slopes in excess of 40 percent, piled deck support structures are required where technically feasible for parking or garages over fill-based construction types; and

Finding: Not applicable - no portion of the proposed patio is proposed on slopes in excess of 40 percent.

10) Areas of new permanent disturbance and all areas of temporary disturbance shall be mitigated and/or restored pursuant to a mitigation and restoration plan meeting the requirements of LUC 20.25H.210.

Finding: Mitigation will be provided by replanting portions of the critical area and critical area buffer with native species. See Conditions of Approval in Section IX of this report.

B. 20.25H.145 Critical areas report – Approval of modification.

Modifications to geologic hazard critical areas and critical area buffers shall only be approved if the Director determines that the modification:

1) Will not increase the threat of the geological hazard to adjacent properties over conditions that would exist if the provisions of this part were not modified;

Finding: The applicant has submitted a geotechnical assessment of the site and slope area prepared by PanGEO, Inc. that addresses slope stability and identifies construction practices that will help limit the potential for increased hazard associated with this slope. The applicant is required to conform to the requirements of the geotechnical study – see Conditions of Approval in Section IX of this report.

2) Will not adversely impact other critical areas;

Finding: This is an application to reduce the top of slope buffer of an isolated slope area from 25 feet to 3 feet and to re-vegetate a band of the steep slope critical area adjacent to the reduced buffer. Surface drainage from the proposed patio will be directed away from the steep slope, collected and piped away to the storm drainage system located within 153rd Court SE. There are no additional adjacent critical areas that will be affected by this project.

3) Is designed so that the hazard to the project is eliminated or mitigated to a level equal to or less than would exist if the provisions of this part were not modified;

Finding: The proposed development is designed to minimize new impacts and reduce existing impacts to the critical area. No grading is proposed within the steep slope critical area. The majority of the steep slope buffer is currently developed with established non-native landscape planting. The Geotechnical Engineer of record has concluded that the existing steep slope critical area poses no hazard to the proposed patio assuming that surface

runoff from the patio will be directed away from the steep slope, collected and transported to the storm drainage system in the street. A copy of the project geotechnical report is available in the project file.

4) Is certified as safe as designed and under anticipated conditions by a qualified engineer or geologist, licensed in the state of Washington;

Finding: The applicant has submitted a geotechnical assessment of the site and slope area prepared by PanGEO, Inc. that addresses slope stability and identifies construction practices and structure design that will help limit the potential for increased hazard associated with this slope. The applicant is required to conform to the requirements of the geotechnical study – see Conditions of Approval in Section VIII of this report.

5) The applicant provides a geotechnical report prepared by a qualified professional demonstrating that modification of the critical area or critical area buffer will have no adverse impacts on stability of any adjacent slopes, and will not impact stability of any existing structures;

Finding: The applicant has submitted a geotechnical assessment of the site and slope area prepared by PanGEO, Inc. that addresses slope stability and identifies construction practices and structure design that will help limit the potential for increased hazard associated with this slope. The applicant is required to conform to the requirements of the geotechnical study – see Conditions of Approval in Section IX of this report.

6) Any modification complies with recommendations of the geotechnical support with respect to best management practices, construction techniques or other recommendations; and

Finding: The applicant has submitted a geotechnical assessment of the site and slope area prepared by PanGEO, Inc. that addresses slope stability and identifies construction practices and structure design that will help limit the potential for increased hazard associated with this slope. The applicant is required to conform to the requirements of the geotechnical study – see Conditions of Approval in Section IX of this report.

7) The proposed modification to the critical area or critical area buffer with any associated mitigation does not significantly impact habitat associated with species of local importance, or such habitat that could reasonably be expected to exist during the anticipated life of the development proposal if the area were regulated under this part.

Finding: The proposed modification to the critical area buffer does not impact habitat associated with species of local importance. The proposed

planting plan incorporates native species and will provide improved habitat value, when established, in the planted area. See Conditions of Approval in Section IX of this report

V. Public Notice and Comment

Application Date:	July 1, 2008
Public Notice:	August 7, 2008
Minimum Comment Period:	August 21, 2008

The Notice of Application for this project was published in the Seattle Times and the City of Bellevue weekly permit bulletin on August 7, 2008. It was mailed to property owners within 500 feet of the project site. No written comments were received regarding this proposal.

VI. Decision Criteria

A. 20.25H.255 Critical areas report – Decision criteria.

1) General -

The Director may approve, or approve with modifications, the proposed modification where the applicant demonstrates:

a. The modifications and performance standards included in the proposal lead to levels of protection of critical area functions and values at least as protective as application of the regulations and standards of this code;

Finding: The modifications and performance standards included in the proposal lead to levels of protection of critical area functions and values at least as protective as application of the regulations and standards of this code. Construction of the patio includes directing surface water away from the top of slope and replacement of degraded vegetation and unplanted areas with a mix of native groundcover, shrubs and trees. The proposed development maintains the natural slope of the steep slope critical area. The patio and any structural walls are to be located within the buffer area. Other aspects of the proposed development, including use of pervious sub-grade materials below the rock paver patio and the proposed approach to storm drainage conform with the enclosed Geotechnical analysis and recommendations. All clearing and grading will be in compliance with the City of Bellevue Clearing and Grading Code, Clearing and Grading Erosion Control Standard Details, Development Standards, and Land Use Code. See Conditions of Approval in Section IX of this report.

b. Adequate resources to ensure completion of any required mitigation and monitoring efforts;

Finding: To ensure proper resources are available to complete the five year maintenance and monitoring report, a five year maintenance and monitoring will be required as part of this project approval. See Conditions of Approval in Section IX of this report.

c. The modifications and performance standards included in the proposal are not detrimental to the functions and values of critical area and critical area buffers off-site; and

Finding: There is no expected negative impact to the functions and values of the steep slope critical area located along the northern portion of this site. There are no significant trees located within the proposed limits of buffer reduction, and there are few significant trees located on the site in general. Due to the degraded condition of the site including the dominance of non-native ornamental planting of the steep slope with juniper the potential to provide habitat is limited. The replanting with native trees, shrubs and groundcovers (including the completion of a five year maintenance and monitoring plan) will help restore to the site and provide habitat where it was previously limited. No threatened or endangered species are expected to be present in the project vicinity and the area is fully developed with residential uses.

d. The resulting development is compatible with other uses and development in the same land use district.

Finding: The resulting development is compatible with other uses and development in the same land use district. The proposed development consists of a single family residence and attached garage with an expanded outdoor patio. This is consistent with the uses on adjacent parcels.

2) Decision Criteria – Proposals to Reduce Regulated Critical Area Buffer.

The Director may approve, or approve with modifications, a proposal to reduce the regulated critical area buffer on a site where the applicant demonstrates:

a. The proposal includes plans for restoration of degraded critical area or critical area buffer functions which demonstrate a net gain in overall critical area or critical area buffer functions;

Finding: The proposal includes plans for restoration of degraded critical area or critical area buffer functions which demonstrate a net gain in overall critical area or critical area buffer functions. The existing lawn, within the critical area buffer, will be removed. The area between the new patio and top-of-bank along with a narrow band of the critical area steep

slope just below the top-of-bank will be restored with appropriate native vegetation. See Conditions of Approval in Section IX of this report.

b. The proposal includes plans for restoration of degraded critical area or critical area buffer functions which demonstrate a net gain in the most important critical area or critical area buffer functions to the ecosystem in which they exist;

Finding: See #1 above.

c. The proposal includes a net gain in storm water quality function by the critical area buffer or by elements of the development proposal outside of the reduced regulated critical area buffer;

Finding: The proposal includes a net gain in storm water quality function by the critical area buffer. The proposed collection of storm water from the patio and the proposed re-vegetation of a portion of the buffer and steep slope critical area with native plants will have a positive impact on water quality. See Conditions of Approval in Section IX of this report.

d. Adequate resources to ensure completion of any required restoration, mitigation and monitoring efforts;

Finding: Adequate resources will be available to ensure completion of proposed restoration of critical area buffer outlined above. No mitigation or monitoring efforts are required. See Conditions of Approval in Section IX of this report.

e. The modifications and performance standards included in the proposal are not detrimental to the functions and values of critical area and critical area buffers off-site; and

Finding: The modifications and performance standards included in the proposal are not detrimental to the functions and values of critical area and critical area buffers off-site. The introduction of native vegetation plantings into a portion of the steep slope critical area and buffer will improve the functions and values of critical areas on and off-site. No grading of the protected steep slope critical area is proposed or allowed as part of this proposal.

f. The resulting development is compatible with other uses and development in the same land use district.

Finding: The resulting development is compatible with other uses and development in the same land use district. The proposed development consists of a detached, single family residence with attached garage and outdoor patio area. This is consistent with the uses on all adjacent parcels.

B. 20.30.P Critical Areas Land Use Permit - Decision criteria.

1) General -

The Director may approve, or approve with modifications, the proposed modification where the applicant demonstrates:

a. The proposal obtains all other permits required by the Land Use Code;

Finding: The applicant must obtain a clearing and grading permit before beginning any work. Any structural walls four feet in height or more require building permits. See Conditions of Approval in Section IX of this report.

b. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer;

Finding: The applicant has submitted a geotechnical assessment of the site and slope area prepared by PanGEO, Inc. that addresses slope stability and identifies construction practices and structure design that will help limit the potential for increased hazard associated with this slope. The applicant is required to conform to the requirements of the geotechnical study. See Conditions of Approval in Section IX of this report.

c. The proposal incorporates the performance standards of Part 20.25H to the maximum extent applicable, and ;

Finding: As discussed in Section III of this report, the proposal meets the performance standards of LUC Section 20.25H.125 for areas of geological hazards. The proposal also meets the Critical Areas Report criteria required to reduce the top of slope buffer from 25 feet to 20 feet.

d. The proposal will be served by adequate public facilities including street, fire protection, and utilities; and;

Finding: The subject site is served by adequate public facilities. This is a proposal to construct a patio of rock pavers over a pervious base of gravel and sand and will not require a change in the level of service provided by public facilities.

e. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC Section 20.25H.210; and

Finding: An acceptable Temporary Erosion Sedimentation Control Plan will be required as part the clearing and grading permit submittal and approval. A complete restoration and replanting plan will also be required as part of the building permit submittal and must include a maintenance

and monitoring plan. The applicant shall also submit restoration / replanting / maintenance cost estimates to be used in determining the amount of the assignment of savings financial security device that will be required prior to permit issuance. See Conditions of Approval in Section IX of this report regarding the required restoration plan.

f. The proposal complies with other applicable requirements of this code.

Finding: As discussed in Sections III, IV, and VI of this report, the proposal complies with all other applicable requirements of the Land Use Code.

VII. Summary of Technical Reviews

A. Clearing and Grading:

The Clearing and Grading Division of the Development Services Department has reviewed the proposed site development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development if the Geotech recommendations are followed and appropriate TESC BMPs are employed during construction. See Conditions of Approval in Section IX of this report.

VIII. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director of Development Services Department does hereby approve with conditions the proposal to reduce the top of slope buffer from 25 feet to 3 feet and restore the remaining buffer and portions of the steep slope critical area near the top-of-bank with native vegetation. Approval of this Critical Areas Land Use Permit does not constitute a permit for construction. A clearing and grading permit is required for the patio and building permits for any walls four feet in height is required. All plans are subject to review for compliance with applicable City of Bellevue codes and standards. Any retaining walls must be approved as part of a building permit and is subject to building permit inspections. See Conditions of Approval in Section IX of this report.

Note- Expiration of Approval: In accordance with LUC 20.30P.125 a Critical Areas Land Use Permit automatically expires and is void if the applicant fails to file for a Clearing and Grading Permit or other necessary development permits within one year of the effective date of the approval.

Approval of this Critical Areas Land Use Permit does not constitute a permit for construction. A building permit is required and all plans are subject to review for compliance with applicable City of Bellevue codes and standards. Any proposed shoring or retaining walls four feet in height measured from the

foundation base must be approved as part of a building permit and are subject to building permit inspections.

IX. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

<u>Applicable Ordinances</u>	<u>Contact Person</u>
Clearing and Grading Code- BCC 23.76	Tom McFarlane, 425-452-5207
Land Use Code- BCC Title 20	Mark Cross, 425-452-2973
Noise Control- BCC 9.18	Mark Cross, 425-452-2973

The following conditions are imposed under the Bellevue City Code authority referenced:

- 1. Engineered Wall Design Requirement:** A building permit is required for any wall that is four feet in height or higher. Such walls must be submitted for review and include detailed plans for any engineered foundation / shoring design that has been recommended in the geotechnical report is required to be submitted for review and approval by the City of Bellevue Building Department prior to the issuance of any building permit for construction at this site.

Authority: Land Use Code 20.25H.125
Reviewer: Mark Cross, Development Services Department

- 2. Critical Area Buffer Restoration and Replanting:** A complete buffer restoration and replanting plan that meets the requirements of LUC 20.25H.220 shall be submitted and approved prior to the issuance of any building permits for construction on this site. Buffer planting shall be of kind and character so as to ensure a net gain in buffer function.

Authority: Land Use Code 20.25H.220
Reviewer: Mark Cross, Development Services Department

- 3. Maintenance and Monitoring Plan:** A complete maintenance and monitoring plan outlining how the restored area will be maintained and monitored for a period of five years shall be submitted and approved prior to the issuance of any building permits for construction on this site. The maintenance and monitoring plan shall, at a minimum, require two entries for maintenance per year. Monitoring reports shall be submitted annually, and must be completed in a format acceptable to the City Land Use Division.

Authority: Land Use Code 20.25H.220
Reviewer: Mark Cross, Development Services Department

4. **Assignment of Savings Financial Security Device:** As part of the building permit application the applicant shall submit restoration / replanting / maintenance plan cost estimates to be used in determining the amount of the assignment of savings financial security device that will be required prior to permit issuance. A complete assignment of savings financial security device in the amount determined by the project planner must be submitted prior to building permit issuance.

Authority: Land Use Code 20.25H.220.F

Reviewer: Mark Cross, Development Services Department

5. **Rainy Season Restrictions:** Due to the proximity to a steep slope, no clearing and grading activity may occur during the rainy season, which is defined as November 1 through April 30 without written authorization of the Department of Planning and Community Development. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology must be implemented prior to beginning or resuming site work.

Authority: Bellevue City Code 23.76.093.A

Reviewer: Mark Cross, Development Services Department

6. **Noise Control:** The proposal will be subject to normal construction hours of 7 am to 6 pm Monday through Friday and 9 am to 6 pm on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Upon written request to PCD, work hours may be extended to 10 pm if the criteria for extension of work hours as stated in BCC 9.18 can be met.

Authority: Bellevue City Code 9.18

Reviewer: Mark Cross, Development Services Department

7. **Clearing and Grading Permit Required:** Prior to the commencement of any development activity on this site, the applicant shall submit application for clearing and grading permit and shall include with the application for City review a copy of the proposed mitigation, restoration, maintenance, and monitoring plan, as well as the engineered retaining wall and foundation shoring design. The proposed development must comply with the requirements of LUC 20.20.010 and is subject to standard clearing and grading review.

Authority: Land Use Code 20.30P.140

Reviewer: Mark Cross, Development Services Department

8. **Geo Tech Report:** Recommendations contained within the Geo Tech report must be followed and appropriate TESC BMPs are employed during construction.

Authority: Bellevue City Code 23.76

Reviewer: Tom McFarlane, Development Services Department

X. Attachments:

1. **Site Map**- In File
 2. **Site Plans**- In File
 3. **Geotechnical Report and Site Assessment** - In File
 4. **SEPA Checklist** – In File
 5. **Plant Legend and Planting Plan Worksheet** – In File
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ENVIRONMENTAL CHECKLIST

4/18/02

If you need assistance in completing the checklist or have any questions regarding the environmental review process, please visit or call the Permit Center (425-452-6864) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4). Our TTY number is 425-452-4636.

BACKGROUND INFORMATION

Property Owner: JUNE AND CRAIG GRIFFITH

Proponent:

Contact Person: DAN YERGER

(If different from the owner, All questions and correspondence will be directed to the individual listed.)

Address: 1449 NE 120th ST SEATTLE WA 98125

Phone: 206-235-4425

Proposal Title:

Proposal Location: 15340 SE 83RD STREET

(Street address and nearest cross street or intersection) Provide a legal description if available.

LOT 38 DIV 1

Please attach an 8 1/2" x 11" vicinity map that accurately locates the proposal site.

Give an accurate, brief description of the proposal's scope and nature:

1. General description: INSTALL PERVIOUS DECK AND SURROUNDING PLANNING
2. Acreage of site: 17,563.00 SF
3. Number of dwelling units/buildings to be demolished: NONE
4. Number of dwelling units/buildings to be constructed: NONE
5. Square footage of buildings to be demolished: NONE
6. Square footage of buildings to be constructed: NONE
7. Quantity of earth movement (in cubic yards): 10,000 CY
8. Proposed land use: YARD Ten cubic yards m/c
9. Design features, including building height, number of stories and proposed exterior materials: MODULAR BLOCK PERVIOUS PATIO
10. Other:

RECEIVED

JUL -1 2008

PERMIT PROCESSING

~~RECEIVED~~

~~JUN 17 2008~~

~~PERMIT PROCESSING~~

Estimated date of completion of the proposal or timing of phasing:

3.5 MONTH (100 DAYS)

Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

NONE

List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

GEO TECHNICAL REPORT by Pan Geo dated June 6, 2008

Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. List dates applied for and file numbers, if known.

NONE

List any government approvals or permits that will be needed for your proposal, if known. If permits have been applied for, list application date and file numbers, if known.

NONE

Please provide one or more of the following exhibits, if applicable to your proposal. (Please check appropriate box(es) for exhibits submitted with your proposal):

- Land Use Reclassification (rezone) Map of existing and proposed zoning
- Preliminary Plat or Planned Unit Development
Preliminary plat map
- Clearing & Grading Permit
Plan of existing and proposed grading
Development plans
- Building Permit (or Design Review)
Site plan
Clearing & grading plan
- Shoreline Management Permit
Site plan

A. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site: Flat Rolling Hilly Steep slopes Mountains Other

b. What is the steepest slope on the site (approximate percent slope)?

40% APPROXIMATELY

c. What general types of soil are found on the site (for example, clay, sand, gravel, peat, and muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

OVER SANDSTONE BEDROCK MC (SANDSTONE) SURFICIAL LAYER FILL

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

NONE

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

LEVEL FOR INSTALLATION OF PATIO

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

EROSION CONTROL INSTALLED ON SITE

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

44.34%

proposed deck to be pervious pavers.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

EROSION CONTROL
DRAINAGE

2. AIR

a. What types of emissions to the air would result from the proposal (i.e. dust, automobile odors, and industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

NONE

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

NONE

c. Proposed measures to reduce or control emissions or other impacts to the air, if any:

NONE REQUIRED

3. WATER

a. Surface

(1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If

NONE

appropriate, state what stream or river it flows into.

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If Yes, please describe and attach available plans. ✓

NONE

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. ✓

NONE

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. ✓

NONE

- (5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

NONE

- (6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. ✓

NONE

b. Ground

- (1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description. ✓

NONE

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. ✓

NONE

c. Water Runoff (Including storm water)

(1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

NONE ✓

(2) Could waste materials enter ground or surface waters? If so, generally describe.

NONE ✓

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

DRAINAGE - EROSION CONTROL MEASURES

4. Plants

a. Check or circle types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

400 SF ✓

c. List threatened or endangered species known to be on or near the site.

NONE KNOWN ✓

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

NATIVE PLANTS (SEE LECORNS A&S PLAN) ✓
m

5. ANIMALS

a. Check or circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

Birds: hawk, heron, eagle, songbirds, other: mc

Mammals: deer, bear, elk, beaver, other:

Fish: bass, salmon, trout, herring, shellfish, other:

NONE

b. List any threatened or endangered species known to be on or near the site. ✓

NONE

c. Is the site part of a migration route? If so, explain.

NONE ✓

d. Proposed measures to preserve or enhance wildlife, if any:

CONFORM TO MUNICIPAL CODE ✓

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy need? Describe whether it will be used for heating, manufacturing, etc.

(EXISTING - NO CHANGE)

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

NONE

c. What kinds of energy conservation features are included in the plans of the proposal? List other proposed measures to reduce or control energy impacts, if any:

NONE

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

NONE

(1) Describe special emergency services that might be required.

MUNICIPAL SERVICES, IF ONLY REQUIRED

(2) Proposed measures to reduce or control environmental health hazards, if any.

CODE CONFORMANCE

b. Noise

- (1) What types of noise exist in the area which may affect your project (for example, traffic, equipment, operation, other)?

NONE

- (2) What types and levels of noise would be created by or associated with the project on a short-term or long-term basis (for example, traffic, construction, operation, other)? Indicate what hours noise would come from the site.

NONE

- (3) Proposed measures to reduce or control noise impacts, if any:

NONE REQUIRED

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties?

SF. RESIDENTIAL ✓

- b. Has the site been used for agriculture? If so, describe.

NO

- c. Describe any structures on the site.

SF. HOUSE ✓

- d. Will any structures be demolished? If so, what?

NONE

- e. What is the current zoning classification of the site?

R. 3.5

- f. What is the current comprehensive plan designation of the site?

NONE

- g. If applicable, what is the current shoreline master program designation of the site?

NONE

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

STEP SLOPE ADJACENT (+40% SLOPE)

- i. Approximately how many people would reside or work in the completed project?

2

- j. Approximately how many people would the completed project displace?

NONE

- k. Proposed measures to avoid or reduce displacement impacts, if any:

CODE CONFORMANCE

mc

- i. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

NONE REQUIRED

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

ONE (EXISTING)

mc

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

NONE

- c. Proposed measures to reduce or control housing impacts, if any:

NONE

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

± 2.0 FT black wall

✓

- b. What views in the immediate vicinity would be altered or obstructed?

NONE

- c. Proposed measures to reduce or control aesthetic impacts, if any:

PCANTILE

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

NONE

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

NONE

✓

mc

c. What existing off-site sources of light or glare may affect your proposal?

NONE

✓

d. Proposed measures to reduce or control light or glare impacts, if any:

NONE

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

WALKWAY, TENNIS CLUB.

✓

b. Would the proposed project displace any existing recreational uses? If so, describe.

No

✓

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

NONE REQUIRED

✓

13. Historic and Cultural Preservation

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

NONE

✓

b. Generally describe any landmarks or evidence of historic, archeological, scientific, or cultural importance known to be on or next to the site.

NONE

c. Proposed measures to reduce or control impacts, if any:

NONE

14. Transportation

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

53RD STREET

✓

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

NONE KNOWN.

✓

c. How many parking spaces would be completed project have? How many would the project eliminate?

2 CAR (EXISTING)

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

NONE

✓

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

NONE

MC

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

3 (EAST)

none added by deck construction. MC

g. Proposed measures to reduce or control transportation impacts, if any:

NONE

15. Public Services

a. Would the project result in an increased need for the public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

NONE

b. Proposed measures to reduce or control direct impacts on public services, if any.

NONE

16. Utilities

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

NONE APPROPRIATE
EXISTING TO REMAIN

Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.



Signature.....

Date Submitted..... 9/13/2008

MC
7/30/08